

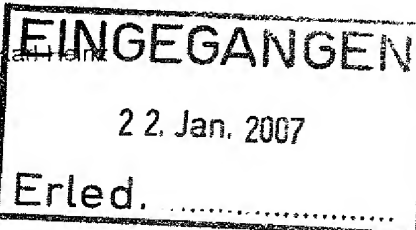
From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

SCHAUMBURG, Kallheim
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ALLEMAGNE



Date of mailing (day/month/year) 11 January 2007 (11.01.2007)	
Applicant's or agent's file reference 2003-1203 P	IMPORTANT NOTIFICATION
International application No. PCT/EP2004/014693	International filing date (day/month/year) 23 December 2004 (23.12.2004)
Applicant OCE PRINTING SYSTEMS GMBH et al	

1. Transmittal of the translation to the applicant.

- ☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).
- ☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, GR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003-1203 P	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/014693	International filing date (day/month/year) 23.12.2004	Priority date (day/month/year) 23.12.2003
International Patent Classification (IPC) or national classification and IPC G06F11/22, G06F11/34		
Applicant OCE PRINTING SYSTEMS GMBH		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>10</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/014693

Box No. I	Basis of the report
1.	<p>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> <p>2. With regard to the elements of the international application, this report is based on <i>(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)</i>:</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1, 2, 4-23</u> as originally filed/furnished</p> <p>pages* <u>3, 3a</u> received by this Authority on <u>10.11.2005 with letter of 10.11.2005</u></p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1-28</u> received by this Authority on <u>01.02.2006 with letter of 01.02.2006</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>1-6</u> as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.</p> <p>3. <input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (specify): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (specify): _____</p> <p>4. <input checked="" type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input checked="" type="checkbox"/> the claims, nos. <u>1, 27</u></p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (specify): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (specify): _____</p>

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/014693

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3-26	YES
	Claims	1, 2, 27, 28	NO
Inventive step (IS)	Claims		YES
	Claims	1-28	NO
Industrial applicability (IA)	Claims	1-28	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

This report has been established as if the amendments to claims 1 and 27 had not been made, because the amendments in question go beyond the disclosure in the original application (PCT Article 19(1) and (2), and PCT Rule 70.2c; see Box I of the report). The assessment of novelty and inventive step with regard to claims 1 and 27 has therefore been made on the basis of the original claims.

1. Reference is made to the following documents:

D1: US 5 448 722 A (LYNNE ET AL), 5 September 1995
D2: WO 01/55862 A (IBEAM BROADCASTING CORPORATION),
2 August 2001

2. INDEPENDENT CLAIM 1

The application fails to meet the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel (PCT Article 33(2)). Documents D1 and D2 disclose the following:

(a) Method for outputting data from a diagnosis data stream for a printer or copier (D1, column 4,

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

- lines 9 to 13 and 46 to 53; column 7, lines 51 to 56) (D2, page 4 to page 5, paragraph 21, and Figure 1),
- (b) wherein the diagnosis data stream comprises first data of a first data type and at least second data of a second data type (D1, Figure 3, and column 4, lines 46 to 65) (D2, page 10, paragraph 37; page 11, paragraph 40; pages 13 to 14, paragraphs 45 to 47),
- (c) wherein the first data and the second data each contain structural data and user data conforming to the respective data types (D1, column 7, lines 51 to 65) (D2, pages 13 to 14, paragraphs 45 to 47),
- (d) wherein the diagnosis data stream is fed to an analysis program in an analyser unit for analysis and output of the first and second data (D1, column 7, lines 51 to 65) (D2, Figure 1, page 5, paragraph 22),
- (e) wherein the analysis program is used to analyse the structural data contained in the first and second data, and a first identifier which is characteristic of the first data type and a second identifier which is characteristic of the second data type are established (D1, Figure 3, and column 5, lines 36 to 55) (D2, page 11 to page 16, paragraphs 40 to 53, and Figures 1 and 5),
- (f) wherein when the first identifier is detected by the analysis program a first analysis rule is selected from a plurality of analysis rules and is loaded and used to analyse and output

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

the user data contained in the first data, and when the second identifier is detected by the analysis program a second analysis rule is selected from a plurality of analysis rules and is loaded and used to analyse and output the user data contained in the second data (D1, column 5, line 56 to column 6, line 5) (D2, page 11 to page 16, paragraphs 40 to 53; figures 1 and 5).

3. INDEPENDENT CLAIM 27

The application fails to meet the requirements of PCT Article 33(1) because the subject matter of claim 27 is not novel (PCT Article 33(2)). Device claim 27 contains the same features as the corresponding method claim 1, and therefore the objections outlined in point 2 above also apply.

4. DEPENDENT CLAIMS 2-26 AND 28

Dependent claims 2 to 26 and 28 do not contain any features that meet the PCT requirements in respect of novelty or inventive step when combined with the features of any of the back-referenced claims.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX I

The amendments submitted to the International Bureau under PCT Article 19(1) and PCT Rule 70.2 introduce material which, contrary to the requirement of PCT Article 19(2) and PCT Rule 70.2c, goes beyond the disclosure in the international application as filed. The amendments in question are as follows:

1. The applicant has deleted the feature "output" in two places in claim 1 (page 24, line 16 - "and outputting"; page 24, line 28 - "and is outputted"). This feature is thus only appears in the first line of claim 1 and in the reference to outputting the analysed second data. The output function of the analyser unit 26 and the outputting of the analysed first data have been deleted from claim 1, yet in the original application they are presented as essential features. Figures 3, 4 and 5 and the accompanying part of the description (pages 11 to 19) refer always to the analysing and outputting of diagnosis data (more particularly first and second diagnosis data) in context. There are clear indications (in particular, the display software and viewer 36 in Figure 3, and viewers 1 to 3 with 48a to 48c in Figure 4) that the output function is an important part of analyser unit 26. The deletion of these features is therefore inadmissible under PCT Article 19(2) and PCT Rule 70.2c.
2. The applicant has added the following feature to claim 1 (lines 30 to 34): "using the analysis

Supplemental Box

program, a check is carried out to determine whether the analysed first data includes other data portions that contain second data which can be analysed using another second analysis rule that is selectable from a plurality of analysis rules".

Claim 1 thus specifies a data stream that contains first data of a first data type and second data of a second data type. The idea of interleaving second data with first data, as specified in this new feature, does not have the support indicated by the applicant, nor is it found anywhere else in what was disclosed in the original application. The feature is therefore inadmissible under PCT Article 19(2) and PCT Rule 70.2c.

3. Similar objections under PCT Article 19(2) and PCT Rule 70.2c apply to independent device claim 27 (see points 1 and 2 above).